

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
MONTGOMERY DIVISION**

**STEVEN BRYAN,**

**Plaintiff,**

**v.**

**EQUIFAX INFORMATION SERVICES,  
LLC, TRANS UNION, LLC. and PEOPLES  
SOUTH BANK f/k/a PEOPLES  
COMMUNITY BANK,**

**Defendants.**

**Case No.: 2:06-CV-00166-MEF-SRW**

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**DEFENDANT PEOPLESSOUTH BANK'S  
MOTION FOR LEAVE TO FILE REPLY**

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**COMES NOW** defendant, PeoplesSouth Bank ("PeoplesSouth"), by and through its undersigned counsel, and hereby requests leave to file a reply to plaintiff Steven Bryan's ("Bryan") Motion in Opposition to Defendant's Motion to Dismiss. As grounds therefor, PeoplesSouth states the following:

1. Bryan filed his Complaint on February 23, 2006. (Doc. No. 1).
2. PeoplesSouth filed its Motion to Dismiss Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and incorporated Memorandum in Support ("Motion to Dismiss") on March 27 2006. (Doc. No. 9).
3. On March 31, 2006, the Magistrate Judge issued an Order setting an April 19, 2006 deadline for Bryan to respond to the Motion to Dismiss. (Doc. No. 12).
4. Bryan subsequently filed his Motion in Opposition to Defendant's Motion to Dismiss ("Motion to Dismiss Response") on April 19, 2006. (Doc. No. 16).

5. PeoplesSouth hereby requests leave to file a reply to Bryan's Motion to Dismiss Response.

6. Said reply will clarify for the Court the issues presented for review and will significantly aid the decisional process of this Court.

7. Furthermore, Bryan will not be prejudiced if PeoplesSouth is given leave to reply to his Motion to Dismiss Response.

WHEREFORE, for the reasons stated more fully herein, defendant PeoplesSouth requests leave to file a reply to plaintiff Bryan's Motion to Dismiss Response.

s/ Gary L. Howard

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 20, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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s/ Gary L. Howard  
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Of Counsel